

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

OCT 28 2016

JULIA C. DUDLEY, CLERK  
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA	)	Criminal Action No. 5:14-cr-00034
	)	
v.	)	<u>FINAL ORDER</u>
	)	
EMILIO LOAEZA-MONTES,	)	By: Michael F. Urbanski
Petitioner.	)	United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby

**ADJUDGED and ORDERED**

that the government's motion to dismiss (ECF No. 49) is **GRANTED**; Emilio-Montes' motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (ECF No. 40) is **DISMISSED**; the government's motion to stay (ECF No. 47) is **DENIED** as moot, a certificate of appealability is **DENIED**; and this action shall be **STRICKEN** from the active docket of this court.

The Clerk shall send copies of this Order and the accompanying Memorandum Opinion to the parties.

ENTER: This 27<sup>th</sup> day of October, 2016.



United States District Judge